



New South Wales

Maitland Local Environmental Plan 1993 (Amendment No 64)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (N01/00165/PC)

ANDREW REFSHAUGE, M.P.,

Minister for Planning

2002 No 556

Clause 1 Maitland Local Environmental Plan 1993 (Amendment No 64)

Maitland Local Environmental Plan 1993 (Amendment No 64)

1 Name of plan

This plan is *Maitland Local Environmental Plan 1993 (Amendment No 64)*.

2 Aims of plan

This plan aims:

- (a) to rezone a number of properties located in various parts of the City of Maitland that are inappropriately zoned Public Recreation under *Maitland Local Environmental Plan 1993* and to correct a number of mapping anomalies (where parts of properties have been incorrectly zoned Public Recreation), and
- (b) to amend clause 26 of the 1993 plan as it relates to the acquisition of land within the Public Recreation and Proposed Recreation zones. The amendment is to allow Maitland City Council to assess whether it requires land for which an acquisition notice has been received.

3 Land to which plan applies

- (1) To the extent that this plan rezones land and corrects mapping anomalies, it applies to various parcels of land within the City of Maitland, as shown edged heavy black on Sheets 1–15 of the map marked “Maitland Local Environmental Plan 1993 (Amendment No 64)” deposited in the office of the Council of the City of Maitland and described in Schedule 1.
- (2) To the extent that this plan amends the acquisition provisions in the 1993 plan, it applies to all land within the Public Recreation and Proposed Recreation zones under the 1993 plan.

4 Amendment of Maitland Local Environmental Plan 1993

Maitland Local Environmental Plan 1993 is amended:

- (a) by inserting in appropriate order in the definition of *The map* in clause 5 (1) the following words:

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- (b) by inserting at the end of clause 26 the following subclauses:
- (2) The Council need not take any action with respect to acquiring land within Zone 6 (a) or 6 (c) for 90 days (or for such other period as may be agreed between the owner and the Council before that period expires) after receiving a notice requiring acquisition of land if the Council, within 14 days after receiving the notice, notifies the owner that it is reviewing the zoning of the land.
 - (3) The Council need not acquire the land pursuant to the notice if the land is rezoned, or the Council decides or has decided to prepare a local environmental plan to rezone the land, before the period of 90 days (or the agreed period) expires.
 - (4) Subclauses (2) and (3) apply to a notice received after the commencement of *Maitland Local Environmental Plan 1993 (Amendment No 64)*.

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Schedule 1 Land to be rezoned

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(Clause 3 (1))

Property description	Proposed zone	Sheet No
Lots 22 and 23, DP 833762 30 and 32 Lord Howe Drive, Ashtonfield	2 (a) Residential	1
Lots 241 and 242, DP 850015 1/34 and 2/34 Lord Howe Drive, Ashtonfield	2 (a) Residential	1
Lots 1–5, DP 881480 36–44 Lord Howe Drive, Ashtonfield	2 (a) Residential	1
Lots 8402–8404, DP 848936 23–27 Coburn Circuit, Metford	2 (a) Residential	2
Lots 8405 and 8406, DP 844997 29–31 Coburn Circuit, Metford	2 (a) Residential	2
Lots 8108–8110, DP 844997 16–20 Coburn Circuit, Metford	2 (a) Residential	2
Lot 8146, DP 844997 22 Coburn Circuit, Metford	2 (a) Residential	2
Lots 1 and 2, DP 849873 31–33 Streeon Drive, Metford	2 (a) Residential	2
Lots 226 and 227, DP 705866 Schanck Drive, Metford	5 (a) Special Uses—(Hunter Water Corporation)	3
Lot 1, DP 430895 30 Edward Street, Morpeth	5 (a) Special Uses—(Hunter Water Corporation)	4
Lot 1, DP 432399 18 Edward Street, Morpeth	5 (a) Special Uses—(Hunter Water Corporation)	4
Lot 1 Church Street, Largs	5 (a) Special Uses—(Hunter Water Corporation)	5

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Land to be rezoned

Schedule 1

Property description	Proposed zone	Sheet No
Lot 64, DP 259960 Stradbroke Avenue, Metford	5 (a) Special Uses—(Hunter Water Corporation)	6
Lot 638, DP 262555 56 John Arthur Avenue, Thornton	5 (a) Special Uses—(Hunter Water Corporation)	7
Lot 850, DP 703278 Thomas Cook Drive, Thornton	5 (a) Special Uses—(Hunter Water Corporation)	7
Lot 1, DP 574831 Vista Parade, East Maitland	5 (a) Special Uses—(Hunter Water Corporation)	8
Lot 1, DP 574837 Ultimo Street, East Maitland	5 (a) Special Uses—(Hunter Water Corporation)	8
Lot 54, DP 594130 Dalveen Road, Bolwarra Heights	5 (a) Special Uses—(Hunter Water Corporation)	9
Lot 1, DP 807404 65 Raymond Terrace Road, East Maitland	5 (a) Special Uses—(Hunter Water Corporation)	10
Lots 7 and 8, Sec. F, DP 5763 Russell Street, Telarah	6 (b) Private Recreation	11
Lot 197, DP 755237 George Street, East Maitland	5 (a) Special Uses—(Cemeteries)	12
Lot 210, DP 755237 Ultimo Street, East Maitland	5 (a) Special Uses—(Cemeteries)	12
Lot 1, DP 380459 James Street, Maitland	6 (b) Private Recreation	13
Lot 2, DP 514126 Paterson Road, Bolwarra	5 (a) Special Uses— (Telecommunications)	14

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Schedule 1 Land to be rezoned

Property description	Proposed zone	Sheet No
Lot 457, DP 727771 Chelmsford Drive, Metford	5 (a) Special Uses—(Community Facility)	15

BY AUTHORITY